



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

June 25, 2015

VIA E-Mail and First Class Mail

John J. Miravich
Fox Rothchild LLP
Eagleview Corporate Center
P.O. Box 673
Exton, PA 19341-0673

**Re: Follow-up Questions for City of Reading Proposed Modifications
U.S. & PADEP v. City of Reading, Civ. No. 04-05696 (E.D. PA)**

Dear John:

Thank you again for a most informative presentation relating to the above captioned case and the City of Reading's proposed modifications to the Wastewater Treatment Plant (WWTP) Upgrades during the June 24, 2015 meeting at the Office of the United States Attorney. We appreciated the participation of the Hon. Mayor Spencer, Managing Director Ms. Carole Snyder and Plant Manager Mr. Ralph Johnson, as well as your co-counsel Mr. Mooney and the City's design engineers from RK & K.

The following questions are to clarify Reading's proposal so that the United States and PADEP can consider and respond appropriately. As we discussed yesterday, Reading should continue to press forward to seek bids for the combined liquids and solids WWTP upgrades contract without delay. Based on your presentation and discussion yesterday, EPA and PADEP are willing to consider the City's request for a reasonable extension of the Consent Decree requirements, but please understand that further delays are likely to include stipulated penalties. While your presentation helped us understand the complex logistics and technical challenges for Wastewater Treatment Plant Upgrades, we need to have the City more clearly identify the proposed schedule for milestones and final deliverables. Please share with your client and respond expeditiously we can all move forward.

Requests for Additional Information

1. **Please identify the proposed schedule milestones** (along with a narrative to explain what each milestone would include by when) that correspond with each of the slides from



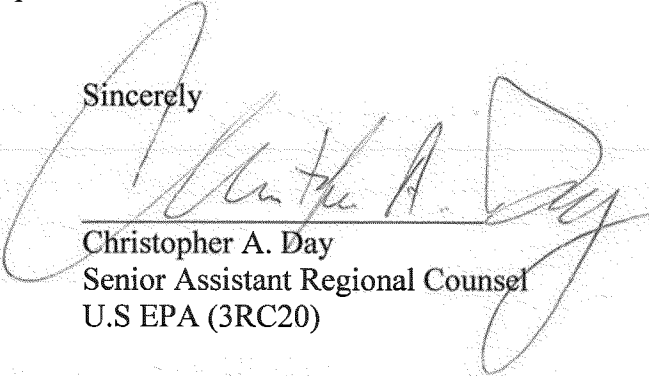
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your 6/24/15 presentation in Construction Sequencing: **Slides 8B, 8D, 9D, 10B, 11 and 12**. As part of the narrative, please describe how the current WWTP treatment capacities and projected /peak capacities would be addressed for each of those milestones.

2. Please provide your proposed extension deadline to the current Consent Decree schedule as provided in the Notice of Modification of Consent, paragraph 6 (filed 2/26/14) , for the "Construction Completion of the wastewater treatment plant" as **February 28, 2018**.
3. Please provide your proposed extension to the current Consent Decree schedule for the "Start-Up & Operation". That provision provided that Reading would have six months from the date of construction completion. See Original Consent Decree paragraph 24 entered 11/7/05. With the current Construction Completion date of February 28, 2018 the current Start Up deadline is **August 28, 2018**.
4. Please confirm that Reading has achieved the interim requirement of the rehabilitation of the Secondary Digesters by July 31, 2015, and that Reading is otherwise current with all other Consent Decree requirements.

Please call me at (215) 814-2481 and/or email me at day.christopher@epa.gov with any questions. We look forward to your response.

Sincerely



Christopher A. Day
Senior Assistant Regional Counsel
U.S EPA (3RC20)

cc: (by E-Mail only)
Margaret L. Hutchinson (USAO)
Beth Liss Schuman (PADEP)



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